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(which the Court may, if it thinks fit and on application in such behalf from time to time extend) to take such measures as may be so specified for remedying the matters in respect of which the offence was committed.

(b) Where an order is made under clause (a) the employer shall not be liable for punishment under this Act in respect of the continuation of the offence during the period or ~~extend~~ or extended period if any allowed by the Court, but if on the expiry of such period or extended period, as the case may be, the order of the Court had not been fully complied with, the employer shall be deemed to have committed a further offence and may be sentenced by the Court to undergo imprisonment for a term which may extend to three months or to pay a fine which may extend to fifty rupees for every day after such expiry on which the order has not been complied with or both to undergo such imprisonment and to pay such fine as aforesaid”.

17. *Amendment of section 29, Tamil Nadu Act XIII of 1958.*—In section 29 of the principal Act,—

(1) in sub-section (2), after clause (a), the following clause shall be inserted, namely,—

“(aa) the terms and conditions subject to which a registration certificate may be granted or renewed under this Act and the fees to be paid for the grant or renewal of such registration certificate;”

(2) in sub-section (3) in clause (a), for the expression “*Fort St. George Gazette*”, the expression “*Tamil Nadu Government Gazette*” shall be substituted.

இணைப்பு IV

[363 ஆம் பக்கத்தில் இனம் 7 (4)க் கானஅடிக் குறிப்பைக் காண்க]

L. A. Bill No. 21 of 1975

(As passed by the Assembly)

A Bill further to amend the Indian Stamp Act, 1899, in its application to the State of Tamil Nadu.

BE it enacted by the legislature of the State of Tamil Nadu in the Twenty-sixth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Indian Stamp (Tamil Nadu Amendment), Act 1975.

(2) It extends to the whole of the State of Tamil Nadu.

(3) It shall come into force on such date as the State Government may, by notification, appoint.

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2. *Amendment of section 3, Central Act II of 1899.*—In section 3 of the Indian Stamp Act, 1899 (Central Act II of 1899) (hereinafter referred to as the principal Act), after the third proviso, the following proviso shall be inserted, namely:—

“Provided also that any increase in the amount of duty chargeable under the Indian Stamp (Tamil Nadu Amendment) Act, 1975, shall not have the effect of increasing the duty payable in respect of instruments specified in clause (a) or clause (c) of this section and executed before the date of the commencement of that Act.”

3. *Omission of section 3-AA, Central Act II of 1899.*—Section 3-AA of the principal Act shall be omitted.

4. *Amendment of sections 4 and 6, Central Act II of 1899.*—In sub-section (1) of section 4 and in the proviso to section 6 of the principal Act, for the words “four rupees and fifty naye paise”, the words “five rupees” shall be substituted.

5. *Amendment of sections 32, 35, 40 and 41, Central Act II of 1899.*—In clause (c) of the proviso to sub-section (3) of section 32, in clause (a) of the proviso to section 35, in sub-section (1) of section 40 and in section 41, of the principal Act, for the words “forty naye paise”, the words “fifty paise” shall be substituted.

6. *Amendment of Schedule I, Central Act II of 1899.*—In Schedule I to the principal Act—

(i) for entries 1 to 10, the following entries shall be substituted namely:—

Description of instrument.

Proper stamp duty.

- 1 ACKNOWLEDGMENT of a debt exceeding twenty rupees in amount or value, written or signed by or on behalf of, a debtor in order to supply evidence of such debt in any book (other than a banker's pass book) or on a separate piece of paper when such book or paper is left in the creditor's possession: provided that such acknowledgement does not contain any promise to pay the debt or any stipulation to pay interest or to deliver any goods or other property.

Fifteen paise.

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*Description of instrument.**Proper stamp duty.*

- 2 ADMINISTRATION BOND including a bond given under section 291 or section 375 of the Indian Succession Act, 1925 (Central Act XXXIX of 1925), or section 6 of the Government Savings Bank Act, 1873 (Central Act V of 1873).

The same duty as a Bond (No. 15) for the same amount.

- 3 ADOPTION DEED, that is to say, any instrument (other than a will) recording an adoption or conferring or purporting to, confer an authority to adopt.

Thirty-five rupees.

- 4 AFFIDAVIT, including an affirmation or declaration in the case of persons by law allowed to affirm or declare instead of swearing.

Five rupees

Exemptions.

Affidavit or declaration in writing when made—

- (a) as a condition of enlistment

under the Army Act, 1950 (Central Act XLVI of 1950);

- (b) for the immediate purpose of being filed or used in any Court or before the officer of any Court or ;

- (c) for the sole purpose of enabling any person to receive any pension of charitable allowance.

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*Description of instrument.**Proper stamp duty.***AGREEMENT OR MEMORANDUM OF AN AGREEMENT—**

- (a) if relating to the sale of a bill of exchange ; One rupee.
- (b) if relating to the purchase or sale of a Government security ; Subject to a maximum of fifty rupees, thirty paise for every Rs. 10,000 or part thereof, of the value of the security at the time of its purchase or sale, as the case may be.
- (c) if relating to the purchase or sale of shares, scrips, stocks, bonds, debentures, debenture stocks, or any other marketable security of a like nature in or of any incorporated company or other body corporate—
- (i) when such agreement or memorandum of an agreement is with or through a member or between members of a Stock Exchange recognised under the Securities Contracts (Regulation) Act, 1956 (Central Act 42 of 1956) ; Fifteen paise for every Rs. 2,500 or part thereof, of the value of the security at the time of its purchase or sale, as the case may be.
- (ii) in other cases ; Fifty paise for every Rs. 2,500 or part thereof, of the value of the security at the time of its purchase or sale, as the case may be.
- (d) if relating to the purchase or sale of cotton including cotton pods or kapas (unginned cotton) ; Thirty paise for every unit of transaction or part thereof. f
- N.B.—The term “unit of transaction means the quantity of cotton weighing approximately 4,500 kilograms.

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Description of instrument.

Proper stamp duty.

- (e) if relating to the purchase or sale of bullion or specie ;
- (i) Ten paise for every unit of 10 kilograms of silver or part thereof.
- (ii) Fifty paise for every unit of one kilogram of gold or part thereof
- (iii) one rupee for every unit of 250 sovereigns or part thereof.
- (f) if relating to the purchase or sale of oilseeds—
- (i) Groundnuts ;
- (ii) Linseed ;
- (iii) Castor seed ;
- (iv) Cotton seed ;
- Fifty paise for every unit of 25 metric tonnes or part thereof.
- (g) if relating to the purchase or sale of yarn of any kind, non-mineral oils or spices of any kind ;
- Ten paise for every Rs. 2,500 or part thereof of the value of yarn of any kind, non-mineral oils or spices of any kind.
- (h) if relating to the purchase or sale of Hydro-sulphite of Soda ;
- Ten paise for every Rs. 2,500 or part thereof of the value of Hydro-sulphite of Soda.
- (i) if not otherwise provided for ; Two rupees fifty paise.

Exemptions. Agreement or memorandum of agreement—

- (a) for or relating to the purchase or sale of goods or merchandise exclusively, not being an agreement or memorandum of agreement chargeable under clause (d), clause (e), clause (f), clause (g) or clause (h) of this article or a note or memorandum chargeable under No. 43,

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*Description of instrument.**Proper stamp duty.*

- (b) made in the form of tenders to the Central Government for, or relating to, any loan.

6. AGREEMENT RELATING TO DEPOSIT OF TITLE, DEEDS, PAWN OR PLEDGE, that is to say, any instrument evidencing an agreement relating to—

- (1) the deposit of title-deeds or instruments constituting or being evidence of the title to any property whatever (other than a marketable security), or

- (2) the pawn or pledge of movable property, where such deposit pawn or pledge has been made by way of security for the repayment of money advanced or to be advanced by way of loan or an existing or future debt—

- (a) if such loan or debt is repayable on demand or more than three months from the date of the instrument evidencing the agreement—

	<i>If drawn singly.</i>	<i>If drawn in set of two for each part of the set.</i>	<i>If drawn in set of three for each part of the set.</i>
	RS. P.	RS. P.	RS. P.
(i) when the amount of the loan or debt does not exceed Rs. 200.	1-00	1-00	0-50
(ii) when it exceeds Rs. 200, but does not exceed Rs. 400.	2-00	1-00	1-00

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Description of instrument. Proper stamp duty.

	Proper stamp duty.		
	<i>If drawn singly.</i>	<i>If drawn in set of two for each part of the set.</i>	<i>If drawn in set of three for each part of the set.</i>
	RS. P.	RS. P.	RS. P.
when it exceeds Rs. 400, but does not exceed Rs. 600.	3-00	1-50	1-00
when it exceeds Rs. 600, but does not exceed Rs. 800.	3-50	2-00	1-50
when it exceeds Rs. 800 but does not exceed Rs. 1,000.	4-50	2-50	1-50
when it exceeds Rs. 1,000 but does not exceed Rs. 1,200.	5-50	3-00	2-00
when it exceeds Rs. 1,200, but does not exceed Rs. 1,600.	7-00	3-50	2-50
when it exceeds Rs. 1,600, but does not exceed Rs. 2,500.	11-00	5-50	3-50
when it exceeds Rs. 2,500, but does not exceed Rs. 5,000.	21-00	11-00	7-00
when it exceeds Rs. 5,000, but does not exceed Rs. 7,500.	32-00	16-00	11-00
when it exceeds Rs. 7,500, but does not exceed Rs. 10,000.	42-00	21-00	14-00
when it exceeds Rs. 10,000, but does not exceed Rs. 15,000.	65-00	32-00	21-00
when it exceeds Rs. 15,000, but does not exceed Rs. 20,000.	85-00	42-00	30-00

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Description of Instrument

Proper stamp duty.

If drawn singly. If drawn in set of two for each part of the set if drawn in set of three for each part of set

	RS. P.	RS. P.	RS. P.
when it exceeds Rs. 20,000, but does not exceed Rs. 25,000.	105-00	52-00	35-00
when it exceeds Rs. 25,000, but does not exceed Rs. 30,000.	125-00	65-00	42-00
and for every additional Rs. 10,000 or part thereof in excess of Rs. 30,000.	42-00	21-00	14-00

(b) if such loan or debt is repayable in not more than three months from the date of such instrument. Half the duty payable on a loan or debt under clause (a) (i) or clause (a) (ii) for the amount secured.

Exemption.—Instrument of pawn or pledge of goods, if unattested.

7. APPOINTMENT IN EXECUTION OF A POWER, whether of trustees or of property, movable or immovable, where made by any writing not being a will. Sixty rupees.

8. APPRAISEMENT OR VALUATION made otherwise than under an order of the Court in the course of a suit—

(a) where the amount does not exceed Rs. 1,000. The same duty as a Bottomry Bond (No. 16) for such amount.

(b) in any other case. Twenty-five rupees.

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Description of instrument.

Proper stamp duty.

Exemptions.

(a) Appraisement or valuation ~~is~~ made for the information of one party only, and not being ~~in~~ any manner obligatory between parties either by agreement or operation of law.

(b) Appraisement of crops for the purpose of ascertaining the amount to be given to a landlord as rent.

9. APPRENTICESHIP DEED, including every writing relating to the service or tuition of any apprentice, clerk or servant placed with any master to learn any profession, trade or employment.

Twelve rupees.

Exemption.

Instruments of apprenticeship by which a person is apprenticed by, or at the charge of, any public charity.

10. ARTICLES OF ASSOCIATION OF A COMPANY. One hundred and fifty rupees"

Exemption.

Articles of any association not formed for profit and registered under the Companies Act, 1956 (Central Act I of 1956).

(ii) entry 11 shall be omitted ;

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*Description of instrument.**Proper stamp duty.*

(iii) for entry 12, the following entry shall be substituted, namely :—

“12. AWARD, that is to say, any decision in writing by an arbitrator or umpire, not being an award directing a partition, on a reference made otherwise than by an order of the court in the course of a suit—

(a) where the amount or value of the property to which the award relates, as set forth in such award, does not exceed Rs. 1,000; The same duty as a Bottomry Bond (No. 16) for such amount.

(b) if it exceeds Rs. 1,000, but does not exceed Rs. 5,000; and for every additional Rs. 1,000 or part thereof in excess of Rs. 5,000. Thirty rupees. One rupee and fifty paise subject to a maximum of one hundred rupees.”;

(iv) for entries 15 to 20-A, the following entries shall be substituted, namely :—

“15. BOND [as defined by section 2(5)] not being a DEBENTURE and not being otherwise provided for by this Act, or by the Tamil Nadu Court-fees and Suits Valuation Act, 1955 (Tamil Nadu Act XIV of 1955)—

where the amount or value secured does not exceed Rs. 10 ; Fifty paise.

where it exceeds Rs. 10 and does not it exceed Rs. 50 ; One rupee.

where it exceeds Rs. 50 and does not exceed Rs. 100 ; Two rupees.

where it exceeds Rs. 100 and does not exceed Rs. 200. Four rupees.

where it exceeds Rs. 200 and does not exceed Rs. 300 ; Six rupees.

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*Description of instrument.**Proper stamp duty.*

where it exceeds Rs. 300 and does not exceed Rs. 400 ;	Eight rupees.
where it exceeds Rs. 400 and does not exceed Rs. 500 ;	Ten rupees.
where it exceeds Rs. 500 and does not exceed Rs. 600 ;	Fifteen rupees.
where it exceeds Rs. 600 and does not exceed Rs. 700 ;	Seventeen rupees.
where it exceeds Rs. 700 and does not exceed Rs. 800 ;	Twenty rupees.
where it exceeds Rs. 800 and does not exceed Rs. 900 ;	Twenty-two rupees and fifty paise.
where it exceeds Rs. 900 and does not exceeds Rs. 1,000 ;	Twenty-five rupees.
and for every Rs. 500 or part thereof in excess of Rs. 1,000 ;	Twelve rupees.

Exemption.

Bond, when executed by any person for the purpose of guaranteeing that the local income derived from private subscriptions to a charitable dispensary or hospital or any other object of public utility, shall not be less than a specified sum per mensem.

16. **BOTTOMRY BOND**, that is to say, any instrument whereby the master of a sea-going ship borrows money on the security of the ship to enable him to preserve the ship or prosecute her voyage—

where the amount or value secured does not exceed Rs. 10 ;

One rupee.

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<i>Description of instrument.</i>	<i>Proper stamp duty.</i>
where it exceeds Rs. 10 and does not exceed Rs. 50 ;	One rupee fifty paise.
where it exceeds Rs. 50 and does not exceed Rs. 100 ;	Two rupees fifty paise.
where it exceeds Rs. 100 and does not exceed Rs. 200 ;	Five rupees.
where it exceeds Rs. 200 and does not exceed Rs. 300 ;	Eight rupees.
where it exceeds Rs. 300 and does not exceed Rs. 400 ;	Ten rupees.
where it exceeds Rs. 400 and does not exceed Rs. 500 ;	Thirteen rupees.
where it exceeds Rs. 500 and does not exceed Rs. 600 ;	Fifteen rupees.
where it exceeds Rs. 600 and does not exceed Rs. 700 ;	Eighteen rupees.
where it exceeds Rs. 700 and does not exceed Rs. 800 ;	Twenty rupees.
where it exceeds Rs. 800 and does not exceed Rs. 900 ;	Twenty-three rupees.
where it exceeds Rs. 900 and does not exceed Rs. 1,000 ;	Twenty-five rupees.
and for every Rs. 500 or part thereof in excess of Rs. 1,000 ;	Thirteen rupees.
17. CANCELLATION. —Instrument of (including any instrument by which any instrument previously executed is cancelled), if attested and not otherwise provided for.	Twenty-five rupees.

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*Description of instrument.**Proper stamp duty.*

18. **CERTIFICATE OF SALE**—(in respect of each property put up as a separate lot and sold), granted to the purchaser of any property sold by public auction by a Civil or Revenue Court, or Collector or other Revenue Officer—
- (a) where the purchase-money does not exceed Rs. 10 ; One rupee.
 - (b) where the purchase-money exceeds Rs. 10 but does not exceed Rs. Twenty five ; One rupee fifty paise.
 - (c) in any other case The same duty as a Conveyance (No. 23) for a market value equal to the amount of the purchase-money only.
19. **CERTIFICATE OR OTHER DOCUMENT**, evidencing the right or title of the holder thereof, or any other person, either to any shares, scrip or stock in or of any incorporated company or other body corporate or to become proprietor of shares, scrip or stock in or of any such company or body. Thirty paise.
20. **CHARTER-PARTY**, that is to say, any instrument (except an agreement for the hire of a tug-steamer) whereby a vessel or some specified principal part thereof is let for the specified purposes of the charterer, whether it includes a penalty clause or not. Five rupees.
- 20-A. **CHIT AGREEMENT**, that is an agreement relating to a chit as defined in clause (3) of section 2 of the Tamil Nadu Chit Funds Act, 1961 (Tamil Nadu Act 24 of 1961), if either such agreement is executed or the chit is conducted in the State of Tamil Nadu. One rupee fifty paise.”;

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*Description of instrument.**Proper stamp duty.*

(v) for entries 22 to 26, the following entries shall be substituted, namely :—

"22. COMPOSITION—DEED that is **Thirty-five rupees.**

to say, any instrument executed by a debtor, whereby he conveys his property for the benefit of his creditors or whereby payment of a composition or dividend on their debts is secured to the creditors, or whereby provision is made for the continuance of the debtor's business under the supervision of inspectors or under letters of licence, for the benefit of his creditors.

23. CONVEYANCE [as defined by section 2 (10)], not being a **TRANSFER** charged or exempted under No. 62—

where the market value of the property which is the subject matter of conveyance does not exceed Rs. 50; **Three rupees.**

where it exceeds Rs. 50, but does not exceed Rs. 100 ; **Six rupees.**

where it exceeds Rs. 100, but does not exceed Rs. 200 ; **Twelve rupees.**

where it exceeds Rs. 200, but does not exceed Rs. 300 ; **Eighteen rupees.**

where it exceeds Rs. 300, but does not exceed Rs. 400 ; **Twenty-five rupees.**

where it exceeds Rs. 400, but does not exceed Rs. 500 ; **Thirty rupees.**

where it exceeds Rs. 500, but does not exceed Rs. 600 ; **Thirty-five rupees.**

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<i>Description of instrument.</i>	<i>Proper stamp duty.</i>
where it exceeds Rs. 600, but does not exceed Rs. 700 ;	Forty rupees.
where it exceeds Rs. 700, but does not exceed Rs. 800 ;	Forty-five rupees.
where it exceeds Rs. 800, but does not exceed Rs. 900 ;	Fifty rupees.
where it exceeds Rs. 900, but does not exceed Rs. 1,000 ;	Fifty-five rupees.
and for every Rs. 500 or part thereof in excess of Rs. 1,000.	Thirty rupees.

Exemption.

Assignment of copyright under the Copyright Act, 1957 (Central Act 14 of 1957), section 18.

24. COPY OR EXTRACT certified to be a true copy or extract by or by order of any public officer and not chargeable under the law for the time being in force relating to court-fees—

(i) if the original was not chargeable with duty, or if the duty with which it was chargeable does not exceed one rupee ;

Two rupees fifty paise.

(ii) in any other case.

.. Five rupees.

Exemption

(a) Copy of any paper which a public officer is expressly required by law to make or furnish for record in any public office or for any public purpose.

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*Description of instrument.**Proper stamp duty.*

- (b) Copy of, or extract from, any register relating to births, baptisms, namings, dedications, marriages, divorces, deaths or burials.

25. COUNTERPART OR DUPLICATE

of any instrument chargeable with duty and in respect of which the proper duty has been paid—

- (a) if the duty with which the original instrument is chargeable does not exceed five rupees. The same duty as is payable on the original.
- (b) in any other case Five rupees.

Exemption.

Counterpart of any lease granted to a cultivator when such lease is exempted from duty.

26. CUSTOMS BOND—

- (a) where the amount does not exceed Rs. 1,000. The same duty as a Bot-tomry Bond (No. 16) for such amount.
- (b) in any other case .. Thirty rupees.”;

(vi) for entries 28 and 29, the following entries shall be substituted, namely :—

“28. **DELIVERY ORDER IN RESPECT OF GOODS**, that is to say, any instrument entitling any person therein named, or his assigns or the holder thereof to the delivery of any goods lying in any dock or port or in any warehouse in which goods are stored or deposited on rent or hire, or upon any wharf, such instrument being

Fifteen-paise.

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*Description of instrument.**Proper stamp duty.*

signed by or on behalf of the owner of such goods, upon the sale or transfer of the property therein, when such goods exceed in value twenty rupees.

29. DIVORCE—Instrument of, that is to say, any instrument by which any person effects the dissolution of his marriage. Five rupees."

(vii) in entry 35, in clause (c), in the proviso to the entry in the second column, for the words "one rupee fifty naye paise", the words "two rupees fifty paise" shall be substituted ;

(viii) for entry 36, the following entry shall be substituted, namely :—

- "36. LETTER OF ALLOTMENT OF SHARES in any company or proposed company, or in respect of any loan to be raised by any company or proposed company. Thirty paise."

(ix) for entries 38 to 44, the following entries shall be substituted, namely :—

- "38. LETTER OF LICENCE, that is to say, any agreement between a debtor and his creditors that the latter shall for a specified time, suspend their claims and allow the debtor to carry on business at his own discretion. Thirty-five rupees.

39. MEMORANDUM OF ASSOCIATION OF A COMPANY—

- (a) if accompanied by articles of association under the Companies Act, 1956 (Central Act I of 1956) ; One hundred rupees.

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*Description of instrument.**Proper stamp duty.*

- (b) if not so accompanied .. Two hundred and fifty rupees.

Exemption.

Memorandum of any association not formed for profit and registered under the Companies Act, 1956 (Central Act I of 1956).

40. MORTGAGE DEED, not being an Agreement relating to Deposit of Title-deeds, Pawn or Pledge (No. 6), Bottomry Bond (No. 16), Mortgage of a Crop (No. 41), Respondentia Bond (No. 56) or Security Bond (No. 57)—

- (a) when possession of the property or any part of the property comprised in such deed is given by the mortgagor or agreed to be given ; The same duty as a Conveyance (No. 23) for a market value equal to the amount secured by such deed.
- (b) when possession is not given or agreed to be given as afore-said; The same duty as a Bottomry Bond (No. 16) for the amount secured by such deed.

Explanation.—A mortgagor who gives or has given to the mortgagee a power-of-attorney to collect rents or gives or has given to the mortgagee a lease, of the property mortgaged or part thereof, is deemed to give possession thereof within the meaning of this article;

- (c) when a collateral or auxiliary or additional or substituted security or by way of further assurance for the above mentioned purpose where the principal or primary security is duly stamped—

for every sum secured not exceeding Two rupees fifty paise.
Rs. 1,000;

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*Description of instrument.**Proper stamp duty.*

and for every Rs. 1,000 or part Two rupees fifty paise.
thereof secured in excess of Rs. 1,000

Exemptions.

(1) Instruments executed by persons taking advances under the Land Improvements Loans Act, 1883 [Central Act XIX of 1883] or the Agriculturists Loans Act, 1884 (Central Act XII of 1884) or by their sureties as security for the repayment of such advances.

(2) Letter of hypothecation accompanying a bill of exchange.

41. MORTGAGE OF A CROP includ
ing any instrument evidencing an
agreement to secure the repayment
of a loan made upon any mortgage
of a crop, whether the crop is or is
not in existence at the time of the
mortgage—

(a) when the loan is repayable
not more than three months
from the date of the instrument—

for every sum secured not exceed- Fifty paise.
ing Rs. 200;

and for every Rs. 200 or part Fifty paise.
thereof secured in excess of
Rs. 200;

(b) when the loan is repayable
more than three months, but
not more than eighteen months
from the date of the instrument—

for every sum secured not exceed- One rupee.
ing Rs. 100;

and for every Rs. 100 or part One rupee.
thereof secured in excess of
Rs. 100.

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*Description of instrument.**Proper stamp duty.***42. NOTARIAL ACT, that is to Five rupees.**

say, any instrument, endorsement note, attestation, certificate, or entry not being a protest (No.50) made or signed by a Notary Public in the execution of the duties of his office, or by any other person lawfully acting as a Notary Public.

43. NOTE OR MEMORANDUM sent by a Broker or Agent to his principal intimating the purchase or sale an account of such principal—

(a) of any goods exceeding in value twenty rupees; One rupee.

(b) of any stock or marketable security exceeding in value twenty rupees. Subject to a maximum of fifty rupees, forty paise for every Rs. 10,000 or part thereof of the value of the stock of security.

44 NOTE OF PROTEST BY THE MASTER OF A SHIP— Two rupees.”;

(x) in entry 45, in clauses (a) and (c) of the proviso to the entry in the second column, for the words “one rupee fifty naye paise”, the words “two rupees fifty” paise shall be substituted;

(xi) for entry 46, the following entry shall be substituted, namely—

46. PARTNERSHIP—**A. Instrument of—**

(a) where the capital of the partnership does not exceed Rs. 500; Twenty rupees.

(b) in any other case .. Sixty-five rupees.

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*Description of instrument.**Proper stamp duty.*

B. Dissolution of

.. Thirty-five rupees."

(xii) for entry 48, the following entry shall be substituted, namely :—

"48. POWER-OF-ATTORNEY as defined by section 2 (21) not being a Proxy—

(a) when executed for the sole purpose of procuring the registration of one or more documents in relation to a single transaction or for admitting execution of one or more such documents; One rupee fifty paise.

(b) when authorising one person or more to act in a single transaction other than the case mentioned in clause (a); Two rupees fifty paise.

(c) when authorising not more than five persons to act jointly and severally in more than one transaction or generally. Twenty rupees.

(d) when authorising more than five but not more than ten persons to act jointly and severally in more than one transaction or generally; Thirty-five rupees.

(e) when given for consideration and authorising the attorney to sell any immovable property; The same duty as a Conveyance (No. 23) for the market value equal to the amount of the consideration.

(f) in any other case .. Three rupees fifty paise for each person authorised.

N.B.—The term "registration" includes every operation incidental to registration under the Registration Act, 1908 (Central Act XVI of 1908).

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*Description of instrument.**Proper stamp duty.*

Explanation.—For the purposes of this article, more persons than one when belonging to the same firm shall be deemed to be one person”.

(xiii) for entries 50 and 51, the following entries shall be substituted, namely—

“50. PROTEST OF BILL OR NOTE Three rupees.

that is to say, any declaration in writing made by a Notary Public, or other person lawfully acting as such attesting the dishonour of a bill of exchange or promissory note.

51. PROTEST BY THE MASTER OF A SHIP Three rupees.”

that is to say, any declaration of the particulars of her voyage drawn by him with a view to the adjustment of losses or the calculation of averages, and every declaration in writing made by him against the charterers or the consignees for not loading or unloading the ship, when such declaration is attested or certified by a Notary Public or other person lawfully acting as such.

(xiv) for entries 54 and 55, the following entries shall be substituted, namely:—

“54. RECONVEYANCE OF MORTGAGED PROPERTY—

(a) if the consideration for which the property was mortgaged does not exceed Rs. 1000;

The same duty as a Conveyance (No. 23) for a market value equal to the amount of such consideration as set forth in the reconveyance.

(b) in any other case

Fifty rupees.

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*Description of Instrument.**Proper Stamp duty.*

55. RELEASE, that is to say, any instrument (not being such a release as is provided for by section 23-A) whereby a person renounces a claim upon another person or against any specified property—

(a) if the amount or value of the claim does not exceed Rs. 1000; The same duty as a Bottomry Bond (No. 16) for such amount or value as set forth in the release.

(b) in any other case Twenty-five rupees.”;

(xv) for entries 57 and 58, the following entries shall be substituted, namely:—

“57. SECURITY BOND OR MORTGAGE DEED, executed by way of security for the due execution of an office, or to account for money or other property received by virtue thereof, or executed by a surety to secure the due performance of a contract—

(a) when the amount secured does not exceed Rs. 1,000; The same duty as a Bottomry Bond (No. 16) for the amount secured.

(b) in any other case — .. Twenty-five rupees.

Exemptions.

Bond or other instrument, when executed—

(a) by any person for the purpose of guaranteeing that the local income derived from private subscriptions to a charitable dispensary or hospital, or any other

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*Description of Instrument.**Proper Stamp duty.*

object of public utility, shall not be less than a specified sum per mensem;

(b) executed by persons taking advances under the Land Improvement Loans Act, 1883 (Central Act XIX of 1883) or the Agriculturists' Loans Act, 1884 (Central Act XII of 1884) or by their sureties, as security for the repayment of such advances;

(c) executed by officers of the Government or their sureties to secure the due execution of an office or the due accounting for money or other property received by virtue thereof.

58. SETTLEMENT—

(a) Instrument of (including a The same duty as a Bottomry deed of dower). Bond (No. 16) for a sum equal to the amount or value of the property settled as set forth in such settlement :

Provided that, where an agreement to settle is stamped with the stamp required for an instrument of settlement and an instrument of settlement in pursuance of such agreement is subsequently executed, the duty on such instrument shall not exceed two rupees fifty paise.

Exemption.

Deed of dower executed on the occasion of a marriage between Muhammadans.

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*Description of Instrument.**Proper Stamp duty.*

(b) Revocation of—

The same duty as a Bottomry Bond (No. 16) for a sum equal to the amount or value of the property concerned, as set forth in the instrument of Revocation, but not exceeding fifty rupees.”;

(xvi) for entries 60 and 61, the following entries shall be substituted, namely :—

“60. SHIPPING—Order for or relating to the conveyance of goods on board of any vessel ;

Fifteen paise.

61. SURRENDER OF LEASE—

(a) when the duty with which the lease is chargeable does not exceed twenty-five rupees ;

The duty with which such lease is chargeable.

(b) in any other case

Twenty-five rupees.

Exemption.

Surrender of lease, when such lease is exempted from duty.”;

(xvii) in entry 62, for clauses (b), (c), (d) and (e), the following clauses shall be substituted, namely :—

“(b) of debentures being marketable securities whether the debenture is liable to duty or not, except debentures provided for by section 8.

One rupee for every hundred rupees or part thereof for a consideration equal to the face-amount of the debenture.

(c) of any interest secured by a bond, mortgage deed or policy of insurance—

(i) if the duty on such bond, mortgage deed or policy does not exceed twenty-five rupees;

The duty with which such bond mortgage deed or policy of insurance is chargeable.

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*Description of Instrument.**Proper Stamp duty.*

- (ii) in any other case Twenty-five rupees.
- (d) of any property under the Administrators General Act, 1963 (Central Act 45 of 1963), section 22 ; Thirty-five rupees.
- (e) of any trust-property from one trustee to another trustee or from a trustee to a beneficiary. Twenty rupees or such smaller amount as may be chargeable under clauses (b) and (c) of this article.”;
- (xviii) for entries 64 and 65, the following entries shall be substituted, namely :—

“64. TRUST—

- (a) DECLARATION OF—of, or concerning, any property when made by any writing not being a Will ; The same duty as a Bottomry Bond (No. 16) for a sum equal to the amount or value of the property concerned as set forth in the instrument, but not exceeding sixty-seven rupees fifty paise.
- (b) REVOCATION OF—of, or concerning, any property when made by any instrument other than a Will. The same duty as a Bottomry Bond (No. 16) for a sum equal to the amount or value of the property concerned, as set forth in the instrument, but not exceeding forty-five rupees.

65. WARRANT FOR GOODS—that is to say, any instrument evidencing the title of any person therein named, or his assigns; or the holder thereof, to the property in any goods lying in or upon any dock, warehouse or wharf, such instrument being signed or certified by or on behalf of the person in whose custody such goods may be. One rupee fifty paise.”;

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7. *Amendment of Tamil Nadu Act 8 of 1962.*—In the Tamil Nadu Stamp (Increase of Duties) Act, 1962 (Tamil Nadu Act 8 of 1962),—

(a) section 2 shall be omitted ;

(b) in section 6, in sub-section (1), the brackets, words and figures “(including the increase of stamp duty effected by section 2)” shall be omitted.

I certify that this is a Money Bill.

Fort St. George,
Madras.

19th April 1975.

K. GOVINDAN,
Speaker.

Tamil Nadu Legislative Assembly.

இணைப்பு—V

(365 ஆம் பக்கத்தில் இனம் 7 [5]-க்கான

அடிக்குறிப்பைக் காண்க.)

L.A. Bill No. 19 of 1975.

(As passed by the Assembly).

A Bill to amend the Tamil Nadu Chit Funds Act, 1961.

BE it enacted by the Legislature of the State of Tamil Nadu in the Twenty-sixth Year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Tamil Nadu Chit Funds (Amendment) Act, 1975.

(2) It shall come into force on such date as the Government may, by notification, appoint.

2. *Amendment of section 7, Tamil Nadu Act 24 of 1961.*—In section 7 of the Tamil Nadu Chit Funds Act, 1961 (Tamil Nadu Act 24 of 1961) (hereinafter referred to as the principal Act), in sub-section (1), after the words “a certificate of commencement”, the words “in respect of each such chit” shall be inserted.